

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**FILED**

UNITED STATES OF AMERICA

v.

DUSHAUN HENDERSON-SPRUCE

CASE NUMBER: **THOMAS G. BRUTON**
UNDER SEAL CLERK, U.S. DISTRICT COURT

APR 24 2018

18CR 249**CRIMINAL COMPLAINT****MAGISTRATE JUDGE COX**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

From on or about October 28, 2017, to on or about January 25, 2018, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant violated:

COUNT ONE*Code Section*Title 18, United States Code, Section
1708*Offense Description*

did steal, take, and abstract, and by fraud and deception obtain and attempt to obtain from or out of any mail, post office, station, and mail route, a letter, package, and mail

COUNT TWOTitle 18, United States Code, Section
1341

did devise, intend to device, and participate in a scheme to defraud, and to obtain money and property, by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme, did knowingly cause to be delivered to his residence by United States mail, according to the direction thereon, envelopes addressed to Corporation A.

This criminal complaint is based upon these facts:

X Continued on the attached sheet.



MARY JOHNSON

Postal Inspector, United States Postal Inspection
Service

Sworn to before me and signed in my presence.

Date: April 24, 2018



Judge's signature

City and state: Chicago, Illinois

SUSAN E. COX, U.S. Magistrate Judge

Printed name and Title

UNITED STATES DISTRICT COURT |
NORTHERN DISTRICT OF ILLINOIS |
Ss

AFFIDAVIT

I, MARY JOHNSON, being duly sworn, state as follows:

1. I am a Postal Inspector with the U.S. Postal Inspection Service (“USPIS”), and have been so employed for approximately 11 years. My current responsibilities include the investigation of criminal violations relating to violations of the federal laws relating to the mails.
2. This affidavit is submitted in support of a criminal complaint alleging that Dushaun HENDERSON-SPRUCE has violated Title 18, United States Code, Sections 1708 and 1341. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging HENDERSON-SPRUCE with mail theft and mail fraud, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offenses alleged in the complaint.

I. FACTS SUPPORTING PROBABLE CAUSE

Background of the Investigation

3. According to law enforcement records, on or about January 16, 2018, a Security Coordinator for Corporation A (“Corporation A Security”) contacted the U.S. Postal Inspection Service (“USPIS”) and advised that an individual submitted Form PS 3575 changing Corporation A’s corporate address from an address in Atlanta,

Georgia, to 6750 N. Ashland Avenue, Apartment L2, Chicago, Illinois (the “HENDERSON-SPRUCE Residence”)¹, without permission from Corporation A executives. Law enforcement consulted the USPS Change of Address Reporting System database (“COARS”), and noticed that a PS Form 3575 was submitted on or about October 26, 2017, requesting that Corporation A’s address in Atlanta, Georgia, be changed to the HENDERSON-SPRUCE Residence. Law enforcement reviewed that form and noticed that the preparer made an error, crossed out the error, and wrote his initials over the error. The initials written are “HS,” the same as HENDERSON-SPRUCE. Additionally, where PS Form 3575 requires the preparer to print and sign his or her name, “HS” was written, scratched out, and then replaced with the name of Corporation A.

4. On or about January 17, 2018, Corporation A Security again contacted USPIS and reported that approximately 150 American Express Corporate Credit Cards in the name of Corporation A, in various employee and executive names, , had been issued and some were sent to the HENDERSON-SPRUCE Residence in December of 2017. Later that day, according to law enforcement, the USPS Postal Carrier (Carrier A) assigned to deliver mail to the HENDERSON-SPRUCE Residence indicated to law enforcement that s/he had been delivering voluminous Corporation

¹ The HENDERSON-SPRUCE Residence has been identified as the residence of DuShaun HENDERSON-SPRUCE through a number of means, including by the USPS Carrier assigned to deliver mail to the HENDERSON-SPRUCE Residence, who identified him in a photo as the occupant of the residence. Additionally, according to bank records from Fifth-Third Bank, HENDERSON-SPRUCE listed his address as the HENDERSON-SPRUCE Residence.

A Mail for months to the HENDERSON-SPRUCE Residence. According to Carrier A, s/he has met the occupant of the HENDERSON-SPRUCE Residence more than once and has given him Corporation A mail directly. Carrier A described the occupant as a young, African-American male with short hair. Carrier A was presented with a photograph of HENDERSON-SPRUCE. Carrier A positively identified the person in the photo as the individual who lives at the HENDERSON-SPRUCE Residence and the person to whom Carrier A has given Corporation A mail.

5. According to law enforcement records, beginning on or about January 24, 2018, USPIS began retrieving most of the Corporation A mail destined for delivery to the HENDERSON-SPRUCE Residence. Several thousand pieces of First Class US mail and registered mail addressed to Corporation A at the HENDERSON-SPRUCE Residence were recovered. After obtaining consent from Corporation A Security to open the mail, USPIS discovered that it contained the personal identifying information of Corporation A employees as well as business checks mailed to Corporation A and accounts payable invoices.

6. On or about January 24, 2018, Corporation A Security reported to USPIS that Fifth-Third Bank Investigators contacted them to report that approximately ten business checks addressed to Corporation A, at an address in Atlanta, Georgia, were deposited into an account belonging HENDERSON-SPRUCE who reported his address as the HENDERSON-SPRUCE Residence.² USPIS

² Law enforcement has reviewed the account opening documents for HENDERSON-SPRUCE's Fifth-Third Bank account which show that the account was opened on or about

subsequently spoke with Fifth-Third Bank Investigators who, according to law enforcement, reported that the checks deposited totaled approximately \$58,000. Fifth-Third provided to law enforcement surveillance footage from deposits. Law enforcement familiar with HENDERSON-SPRCUE's appearance, based on having viewed a State ID photo, identified HENDERSON-SPRCUE as the person in the bank surveillance footage depositing the checks addressed to Corporation A.

Search of the HENDERSON-SPRUCE Residence

7. On or about January 25, 2018, USPIS obtained a federal warrant to search the HENDERSON-SPRUCE Residence. According to law enforcement, approximately 3000 pieces of mail originally destined to be delivered to Corporation A in Atlanta, Georgia were recovered during the search. According to law enforcement, amongst the 3000 pieces of mail were mail pieces such as numerous business checks made out to Corporation A, mail from the United States Bankruptcy Court, and mail concerning employee benefits.

Interview of HENDERSON-SPRUCE

10. According to postal inspectors, on or about January 25, 2018, following the search of the HENDERSON-SPRUCE Residence, HENDERSON-SPRUCE was read his rights under *Miranda*, said he understood those right, and signed a *Miranda* waiver form, indicating a willingness to speak to law enforcement³.

September 2, 2017, in the name of HENDERSON-SPRUCE, who is the only signatory on the account.

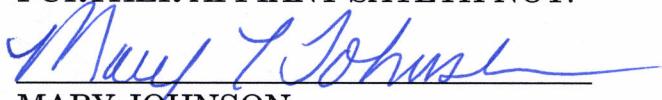
³ What follows is a summary of what was stated by HENDERSON-SPRUCE and not intended to be a transcript.

11. According to law enforcement, HENDERSON-SPRUCE stated that he currently resides at the HENDERSON-SPRUCE Residence. HENDERSON-SPRUCE further stated that he worked at a Corporation A facility in or around 2012 on a part-time basis. Upon being asked why he changed the address for Corporation A Corporate Headquarters to the HENDERSON-SPRUCE Residence, HENDERSON-SPRUCE terminated the interview.

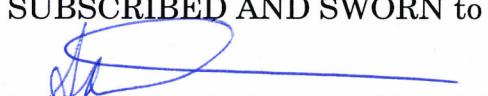
II. CONCLUSION

Based on the foregoing facts, I respectfully submit that there is probable cause to believe that between on or about October 26, 2017 and January 25, 2018, DUSHAUN HENDERSON-SPRUCE did steal, take, and abstract, and by fraud and deception obtain and attempt to obtain from or out of any mail, post office, station, and mail route, a letter, package, and mail, in violation of Title 18, United States Code, Section 1708.

FURTHER AFFIANT SAYETH NOT.


MARY JOHNSON
Postal Inspector
U.S. Postal Inspection Service

SUBSCRIBED AND SWORN to before me on April 24, 2018.


SUSAN E. COX
United States Magistrate Judge